

EXHIBIT X

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL : MDL NO. 1456
INDUSTRY AVERAGE WHOLESALE : CIVIL ACTION
PRICE LITIGATION : 01-CV-12257-PBS
vs. :

THIS DOCUMENT RELATES TO : HIGHLY
U.S. ex rel. Ven-A-Care of : CONFIDENTIAL
The Florida Keys, Inc. :
v. Abbott Laboratories, :
Inc., No. 06-CV-11337-PBS :

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Oral Deposition of NANCY MOLYNEAUX, was
taken pursuant to notice at the Law Offices of Morgan
Lewis, 1701 Market Street, Philadelphia,
Pennsylvania, on Thursday, January 11, 2007,
beginning at 10:00 a.m., before Jeanne Christian,
Court Reporter-Notary Public, there being present.

1 Ven-A-Care had provided to your office at this
2 time?

3 A. I don't remember.

4 Q. In the second sentence, Mr. Vito wrote,
5 "We would like to make one more request for
6 information at this time. During our discussions,
7 you made us aware that you had several catalogs
8 from manufacturers and buying groups that could
9 provide us with pricing information on
10 prescription drugs. We would like very much to
11 examine this information. Would you be able to
12 send us the original catalogs for our review?"

13 And my question is, do you recall
14 receiving any original catalogs from Ven-A-Care?

15 A. No, I do not.

16 Q. Any reason to believe that you did not
17 receive such documents?

18 MR. NEAL: I object to the form.

19 THE WITNESS: No.

20 MR. TORBORG: We will do one more, and
21 then we will take a break. Mark this as Exhibit
22 Abbott 024, please.

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1 inhalation pharmaceutical reimbursement to
2 reasonable levels contemplated by the enabling
3 legislation. VAC is particularly concerned now
4 about a continuing practice of the Medicare and
5 Medicaid Programs of paying exorbitant
6 reimbursement for infusion and inhalation drugs
7 which results in more than one million dollars per
8 year of federal funds being wasted. Ven-A-Care's
9 efforts to date have not resulted in much needed
10 changes."

11 And my question again will be, do you
12 recall working with Ven-A-Care on the topic of
13 excessive payments for infusion and inhalation
14 pharmaceutical reimbursements?

15 MS. POLLACK: I object to the form of
16 the question. There is no foundation.

17 THE WITNESS: What do you mean by
18 working with?

19 BY MR.TORBORG:

20 Q. Did you ever discuss excessive payments
21 for infusion and inhalation pharmaceutical
22 products with Ven-A-Care?
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1 A. I believe so, but I do not recall a
2 particular conversation.

3 Q. What do you recall about these
4 conversations?

5 A. Just the conclusion that Medicare, in
6 particular, was paying too much.

7 Q. Do you recall any time frame when that
8 conversation may have occurred?

9 A. Probably around the time that I was
10 working on the TPN report, in 1996 or so.

11 Q. To the best of your recollection, was
12 the TPN report the first time that you became
13 aware that there was a large difference between
14 the amount that Medicare was reimbursing for
15 infusion and parenteral drugs versus the
16 acquisition cost of providers?

17 A. Yes.

18 Q. If I could ask you to flip to the second
19 page of this document, there is a paragraph toward
20 the bottom of the page that says over a year ago.

21 Do you see that?

22 A. Um-hum.
23
24
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